AMENDMENTS TO THE CLAIMS

Listing of Claims:

1. (Currently Amended) A transdermal spray formulation comprising:

a) a pharmaceutically active agent;

b) **0.1% to 2.0% by weight** VP/VA copolymer; ~~**and**~~

c) **at least 60% by weight of** a non-aqueous ~~**vehicle**~~ **solvent; and**

d) optionally a penetration enhancer, which, if present, is present in an amount of 0.01% to 5.0% by weight of the composition.

2. (Original) A transdermal spray formulation according to claim 1, wherein the pharmaceutically active agent is provided in a therapeutically effective amount.

3. (Currently Amended) A transdermal spray formulation according to claim 1 ~~**or 2**~~, ~~**wherein the VP/VA copolymer is present in an amount from about 0.1% to about 20% by weight of the formulation**~~ **further comprising an anti-nucleating agent**.

4. (Currently Amended) A transdermal spray formulation according to ~~**claim 1, 2 or 3**~~ **claim 3**, wherein the ~~**VP/VA copolymer is present in an amount from about 0.1% to about 5% by weight of the formulation**~~ **anti-nucleating agent is a polyvinylpyrrolidone polymer or copolymer**.

5. (Currently Amended) A transdermal spray formulation according to ~~**claim 1, 2, 3 or 4**~~ **claim 3**, wherein the ~~**VP/VA copolymer is present in an amount**~~ **anti-nucleating agent**

comprises from about ~~0.1% to about 2%~~ 1% to about 10% by weight of the formulation.

6. (Currently Amended) A transdermal spray formulation according to ~~any preceding claim, further comprising an anti-nucleating agent~~ claim 1, wherein the penetration enhancer is a monohydric alcohol such as ethanol, isopropyl, butyl or benzyl alcohol; a dihydric alcohol such as ethylene glycol, diethylene glycol, propylene glycol, dipropylene glycol or trimethylene glycol; a polyhydric alcohol such as glycerin, sorbitol or polyethylene glycol; a polyethylene glycol ether of an aliphatic alcohol, such as cetyl, lauryl, oleyl or stearyl, including polyoxyethylene (4) lauryl ether, polyoxyethylene (2) oleyl ether, polyoxyethylene (10) oleyl ether or polyoxyethylene alkyl ether; vegetable, animal or fish fats or oil such as olive and castor oils, squalene or lanolin; a fatty acid ester such as propyl oleate, decyl oleate, isopropyl palmitate, glycol palmitate, glycol laurate, dodecyl myristate, isopropyl myristate or glycol stearate; a fatty acid alcohol such as oleyl alcohol and derivatives thereof; a fatty acid amide such as oleamide and derivatives thereof; urea and urea derivatives such as allantoin; a polar solvent such as dimethyllaurylamide, dodecylpyrrolidone, isosorbitol, or salicylic acid; an amino acid; a higher molecular weight aliphatic surfactant such as lauryl sulfate salts or esters of sorbitol and sorbitol anhydride; polysorbates 20, 21, 40, 60, 61, 65, 80, 81, or 85; oleic and linoleic acids, ascorbic acid, panthenol, butylated hydroxytoluene, tocopherol, tocopherol acetate, tocopheryl linoleate, menthol, dimethylisosorbide, glycerylmono-oleate or myristyl lactate.

7. (Currently Amended) A transdermal spray formulation according to ~~claim 6~~ claim 1, wherein the ~~anti-nucleating agent is a polyvinylpyrrolidone polymer or copolymer~~

penetration enhancer is selected from the group consisting of menthol, dimethylisosorbide, glycerylmono-oleate and myristyl lactate.

8. (Currently Amended) A transdermal spray formulation according to ~~claim 6 or 7~~ claim 1, wherein the ~~anti-nucleating agent comprises from about 1% to about 10% by weight of the formulation~~ non-aqueous solvent is volatile and evaporates at mammalian skin temperature.

9. (Currently Amended) A transdermal spray formulation according to ~~any preceding claim, further comprising a penetration enhancer~~ claim 1, wherein the non-aqueous vehicle is one or more of ethanol, acetone and methylal.

10. (Currently Amended) A transdermal spray formulation according to ~~claim 9~~ claim 1, wherein the ~~penetration enhancer is selected from the group consisting of menthol, dimethylisosorbide, glycerylmono-oleate and myristyl lactate~~ pharmaceutically active agent is one or more of the following classes: anti-inflammatory drugs, analgesics, anti-arthritic drugs, antispasmodics, antidepressants, anti-psychotics, tranquillisers, anti-anxiety drugs, narcotic antagonists, antiparkinsonian agents, cholinergic agonists, chemotherapeutic drugs, immunosuppressive agents, antiviral agents, antibiotic agents, appetite suppressants, anti-emetics, anti-cholinergics, antihistaminics, anti-migraine agents, coronary, cerebral or peripheral vasodilators, hormonal agents, contraceptives, anti-thrombotic agents, diuretics, antihypertensive agents, cardiovascular drugs and opioids.

11. (Currently Amended) A transdermal spray formulation according to ~~claim 9 or 10~~ claim 1, wherein the ~~penetration enhancer comprises from about 0.01% to about 5.0% by weight of the formulation~~ pharmaceutically active agent is one or more of estradiol, testosterone, oxybutynin, buprenorphine and fentanyl.

12. (Currently Amended) A transdermal spray formulation according to ~~any preceding claim, wherein the non-aqueous vehicle comprises at least about 60% by weight of the formulation~~ claim 1, wherein the pharmaceutically active agent is estradiol.

13. (Currently Amended) A transdermal spray formulation according to ~~and preceding claim~~ claim 12, wherein the ~~non-aqueous vehicle is a volatile solvent~~ estradiol is present in an amount from about 1% to about 5% by weight of the formulation.

14. (Currently Amended) A transdermal spray formulation according to ~~any preceding claim~~ claim 1, wherein the ~~non-aqueous vehicle is one or more of ethanol, acetone and methylal~~ pharmaceutically active agent is testosterone.

15. (Currently Amended) A transdermal spray formulation according to ~~any preceding claim~~ claim 14, wherein the ~~pharmaceutically active agent is one or more of estradiol, testosterone, oxybutynin, buprenorphine and fentanyl~~ testosterone is present in an amount up to about 16.66% by weight of the formulation.

16. (Currently Amended) A transdermal spray formulation according to ~~any preceding claim, wherein the pharmaceutically active agent is estradiol~~ claim 1 for forming a patch on the skin of a subject, wherein the non-aqueous solvent comprises ethanol, methylal or acetone or mixtures thereof; and wherein the optional penetration enhancer, when present, is different to the non-aqueous solvent.

17. (Currently Amended) A transdermal spray formulation according to claim ~~15 or~~ 16, wherein the ~~estradiol is present in an amount from about 1% to about 5% by weight of the formulation~~ non-aqueous solvent comprises ethanol.

18. (Currently Amended) A method of administering a pharmaceutically active agent, comprising spraying a transdermal formulation according to ~~any one of claims 1 to 17~~ claim 1 onto the skin of a subject in need thereof.

19. (Currently Amended) A method according to claim 18, wherein the non-aqueous ~~vehicle~~ solvent volatizes upon contact with the skin, forming a film comprising the VP/VA copolymer and the pharmaceutically active agent.

20. (Currently Amended) A method of forming a pharmaceutically active film comprising spraying a transdermal formulation according to ~~any one of claims 1 to 17~~ claim 1 on the skin of a subject in need thereof.